

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE, U.S. DEPARTMENT OF COMMERCE (REV. 9-2005)		ATTORNEY'S DOCKET NUMBER <b>F04-018US</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)</b>		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/575,714</b>
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		
INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/015347</b>	INTERNATIONAL FILING DATE <b>12, October 2004</b>	PRIORITY DATE CLAIMED <b>16, October 2003</b>
TITLE OF INVENTION <b>METHOD FOR MEASURING A SURFACE PLASMON RESONANCE AND NOBLE METAL COMPOUND USED FOR THE SAME</b>		
APPLICANT(S) FOR DO/EO/US <b>KOIKE, Tohru; KAWASAKI, Akihiko; KOBASHI, Tatsuhiro and TAKAHAGI, Makoto</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (25) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/PEA/409).</li> <li>12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>18. <input type="checkbox"/> A substitute specification.</li> <li>19. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>20. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>21. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>23. <input type="checkbox"/> Express Mail Label No.</li> </ol>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/575,714</b>	INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/015347</b>	ATTORNEY'S DOCKET NUMBER <b>F04-018US</b>																																			
<p>24. Other items or information:</p> <p>1. Copy of Notification of Missing Requirements; 2. Request to Correct Transmittal Letter; 3. Corrected Transmittal Letters.</p>																																					
<p>The following fees have been submitted:</p> <p>25. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$310</p> <p>26. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 All other situations. .... \$210</p> <p>27. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. .... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB. .... \$410 All other situations. .... \$510</p> <p><b>TOTAL OF 25, 26 and 27 =</b> \$ \$0.00</p> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$280 for each additional 50 sheets of paper or fraction thereof.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole)</th> <th style="width: 15%;">RATE</th> <th style="width: 10%;"></th> <th style="width: 15%;"></th> </tr> <tr> <td>- 100 =</td> <td>0</td> <td>/50 =</td> <td>0</td> <td>x</td> <td>\$260.00</td> </tr> </table> <p>Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). \$</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 30%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> <th style="width: 10%;"></th> <th style="width: 15%;"></th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td>0</td> <td>x</td> <td>\$50.00</td> <td>\$ \$0.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td>0</td> <td>x</td> <td>\$210.00</td> <td>\$ \$0.00</td> </tr> </table> <p>MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$370.00 \$ \$0.00</p> <p style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS =</b> \$ \$0.00</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. \$ \$0.00</p> <p style="text-align: center;"><b>SUBTOTAL =</b> \$ \$0.00</p> <p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). \$ \$0.00</p> <p style="text-align: center;"><b>TOTAL NATIONAL FEE =</b> \$ \$0.00</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ \$0.00</p> <p style="text-align: center;"><b>TOTAL FEES ENCLOSED =</b> \$ \$0.00</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"></td> <td style="width: 10%;">Amount to be</td> <td style="width: 20%;">\$</td> </tr> <tr> <td></td> <td>Amount to be</td> <td>\$</td> </tr> </table>		Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE			- 100 =	0	/50 =	0	x	\$260.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	- 20 =	0	x	\$50.00	\$ \$0.00	Independent claims	- 3 =	0	x	\$210.00	\$ \$0.00		Amount to be	\$		Amount to be	\$
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	Amount to be	\$																																			
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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1030. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

**ADVISORY:** If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission.  
Please  
be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

**SEND ALL CORRESPONDENCE TO:**

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SIGNATURE

Gerald E. Hespos

NAME

30,066

REGISTRATION NUMBER

September 23, 2008

DATE



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER, U.S. PATENT OFFICE  
P.O. Box 1410  
Alexandria, Virginia 22304-1410  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/575,714	FIRST NAMED APPLICANT Tohru Koike	ATTY. DOCKET NO. I-04018LS
INTERNATIONAL APPLICATION NO. PCT/JP2004/015347		
IA FILING DATE 10/12/2004	PRIORITY DATE 10/24/2003	

CONFIRMATION NO. 3799  
371 FORMALITIES LETTER



Date Mailed: 09/15/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 04/12/2006
- English Translation of the IA filed on 04/12/2006
- Copy of the International Search Report filed on 04/12/2006
- Copy of IPE Report filed on 04/12/2006
- Information Disclosure Statements filed on 06/21/2006
- Oath or Declaration filed on 04/12/2006
- Request for Immediate Examination filed on 04/12/2006
- Copy of references cited in ISR filed on 04/12/2006
- U.S. Basic National Fees filed on 04/12/2006
- Priority Documents filed on 04/12/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The inventors identified on the declaration and application data sheet are not identified on the International Application.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHARITTA A SHELTON

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Telephone: (703) 308-9140 EXT 207